

ATTACHMENT B

REMARKS

By this amendment, Applicant has made certain changes to the claims in accordance with an Interview between the Applicant and the Examiner and Primary Examiner, and Applicant now submits that the present claims are clear from any cited prior art and are in condition for allowance. In particular, Applicant has now added to the claims the amount of a cleansing agent in a conventional liquid soap base such as described on page 11 of the application, and has also added a claim directed to the ratio of the serum albumin component to the cleansing agent. In short, the present claims are not disclosed or made obvious over the references cited by the Examiner, for reasons as explained in more detail below.

As an initial matter, the Applicant wishes to thank the Examiner and the Primary Examiner for the recent interview granted with regard to this application. As set forth in more detail below, it is thought that this interview has clarified the issues in this application and will enable an expedited allowance of the claims as amended.

As was discussed in the interview between Applicant and the Examiners for this case, while it was generally agreed that the prior art did not disclose Applicant's invention wherein human serum albumin was dissolved in a liquid soap and used as a cleansing composition, the Examiner indicated that the prior art could be distinguished if Applicant could quantify the amount of the cleansing agent used in the composition, and/or provide a ratio of the cleansing agent to the albumin in the composition. In this regard, Applicant's original disclosure refers to the albumin being dissolved in a "conventional liquid soap base" (see, e.g., page 11), and this term is understood in the

industry to mean about 5 to 55% of the cleansing agent (e.g., sodium laurel sulfate or ammonium laurel sulphate) in the liquid soap composition. Applicant has provided herewith an Appendix of various patents and other materials showing that generally a conventional liquid soap will contain roughly 5 to 55% of the cleansing agent, and this range has now been incorporated into the present claims. As also indicated in page 11, the amount of human serum albumin used in the composition may be in the range of 1 to 60 mg/ml (and Claims 52 and 55 have been amended accordingly), and thus this translates to a ratio of serum albumin to cleansing agent of from about 0.3:1 to about 2.4:1, as now reflected in new Claim 58. As indicated below, it is clear that none of these compositions are disclosed or made obvious in any prior art reference, and that the claims now distinguish over those references.

In the Official Action, the Examiner made a minor objection to Claim 50 with regard to the term "cleansing agent, vehicle, carrier or excipient", and Applicant submits that the terms "vehicle, carrier or excipient" refer to the cleansing agent and are merely different forms of this agent. The language to Claim 50 has been amended to make this clear, and the Examiner's rejection under Section 112 is respectfully traversed.

In the Official Action, the Examiner rejected Claims 50 and 52-57 on the basis of Mausner U.S. patent 5,254,331 which relates to a skin cream composition and not to a cleansing composition or a liquid soap. As was discussed during the interview between Applicant and the Examiner, the Mausner composition does not disclose or make obvious Applicant's claimed invention because it relates to a skin cream, and the extremely minor amount of an agent that in other compositions might be used for cleansing (e.g., steareth-21) would not in any event be an effective amount in that

composition for that purpose. However, even further, Applicant has now quantified the amount of the cleansing agent in the claims in the manner suggested by the Examiner, and this amount clearly distinguishes the claims from the Mausner patent which is not a cleansing composition, and which does not in any event disclose or approach the amount of the cleansing agent as utilized in Applicant's claims. Accordingly the Examiner's rejection on the basis of Mausner is respectfully traversed and should be withdrawn.

Finally, in the Official Action, the Examiner had a similar rejection of Claims 50, 52, 54-55 and 57 on the basis of Beaulieu US Patent 5,641,483 which once again is not a cleansing composition but which is a wound healing formulation. Apparently, the reference was only cited because of the inclusion of a very small amount of "cetek-20", although this amount was not an effective amount in that composition for purposes of cleansing. Once again, as was discussed during the interview between Applicant and the Examiner, the Beaulieu composition does not disclose or make obvious Applicant's claimed invention because it relates to a wound healing formulation, and the extremely minor amount of an agent that in other compositions might be used for cleansing (e.g., cetech-20) would not in any event be an effective amount for that purpose. However, even further, Applicant has now quantified the amount of the cleansing agent in the claims in the manner suggested by the Examiner, and this amount clearly distinguishes the claims from the Beaulieu patent which is not a cleansing composition, and which does not in any event disclose or approach the amount of the cleansing agent as utilized in Applicant's claims. Accordingly the Examiner's rejection on the basis of Beaulieu is respectfully traversed and should be withdrawn.

Accordingly, the Examiner's rejections on the basis of the cited prior art, insofar as applied to the claims as amended, are respectfully traversed and should be withdrawn.

In light of the amendments and arguments as set forth above, Applicants submit that the present application overcomes all prior rejections and has been placed in condition for allowance. Such action is respectfully requested.

END OF REMARKS